

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

MAR 10 2016

CLERK, U.S. DISTRICT COURT

By _____
Deputy

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

RANDALL KELTON,

Plaintiff,

VS.

WELLS FARGO BANK, N.A.,

Defendant.

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NO. 4:16-CV-169-A

RANDALL KELTON, ET AL.,

Plaintiffs,

VS.

WELLS FARGO BANK, N.A.,

Defendant.

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NO. 4:16-CV-171-A

ORDER

On March 10, 2016, Civil Action No. 4:16-CV-169-0 was transferred to the docket of the undersigned. The court has now determined that the above-captioned actions should be consolidated since the cases involve common questions of law or fact. The court further finds that plaintiffs, Randall Kelton and Kenneth Covington, should file an amended complaint complying with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Northern District of Texas, the undersigned's standing order signed July 15, 2015, and the judge-specific requirements of the

undersigned.¹ Plaintiffs are to pay particular attention in their repleading to the requirements of Rule 8(a) of the Federal Rules of Civil Procedure, as those requirements have been interpreted by the United States Supreme Court in Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007), and Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009), and the requirements of Rules 9(b) and 11 of the Federal Rules of Civil Procedure.

Therefore,

The court ORDERS that the above-captioned actions be, and are hereby, consolidated for all purposes and that, as consolidated, they shall, from this point forward, carry the following style and cause number:

RANDALL KELTON, ET AL.,	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	NO. 4:16-CV-169-A
	§	(Consolidated with
WELLS FARGO BANK, N.A.,	§	No. 4:16-CV-171-A)
	§	
Defendant.	§	

The court further ORDERS that from this point forward, the clerk and all parties use the consolidated caption, set forth

¹The judge-specific requirements are found on the Northern District of Texas website; particular requirements with regard to the signing and filing of documents are found in the form status report order available at <http://www.txnd.uscourts.gov/sites/default/files/documents/McBrydeStatusReportOrder.pdf>.

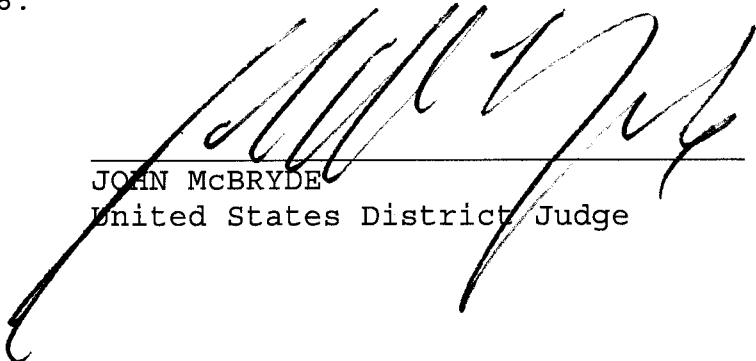
immediately above, in all matters pertaining to the consolidated actions.

The court further ORDERS that the order signed March 2, 2016, requiring scheduling conference and report for contents of scheduling order in the case transferred from Judge O'Connor be, and is hereby, set aside and vacated.

The court further ORDERS that by 4:00 p.m. on March 25, 2016, plaintiffs, Randall Kelton and Kenneth Covington, file an amended complaint consistent with the foregoing provisions of this order, and that, by 4:00 p.m. on April 1, 2016, defendant file an answer or other response to such amended pleading.

The court further ORDERS that failure of any party to comply with the provisions of this order may result in the imposition of sanctions, including dismissal of this action or entry of default judgment, as appropriate.

SIGNED March 10, 2016.



JOHN McBRYDE
United States District Judge